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REMARKS**I. Background**

Claims 12-75 are currently pending in the case with claims 12, 17, 18, 24, 29, 33, 37, 42, 43, 49, 56, 58, 65, and 72-75 being independent claims. In the Office Action, Claim 1 was rejected for statutory-type double patenting. Claims 1, 51, and 53 were formally objected to due to clerical errors. Claims 56 and 62-64 were rejected as allegedly being indefinite. On the merits, Claims 12, 13, 15, and 16 were rejected as allegedly being anticipated by U.S. Patent No. 1,258,146 to Russell. Claim 14 was rejected as allegedly being obvious over the Russell reference alone. Claims 17 - 47, 49 - 51, 53, 54, and 56-71 were rejected as allegedly being obvious over Russell in view of U.S. Patent No. 4,364,616 to Harkins et al. (hereinafter "Harkins"). Claims 48, 52, and 55 were indicated as defining allowable subject matter but were formally objected to as being dependent upon a rejected claim. Finally, new claims 72-75 have been added for consideration by the Examiner. Each of the objections and rejections mentioned above is respectfully traversed and favorable reconsideration is requested in light of the accompanying amendments and remarks.

II. The Double Patenting Rejection is Mooted

In the Office Action, the Examiner first issued a statutory double patenting rejection against Claim 1. Claim 1 was carried over from Applicant's earlier application for purposes of copendency and has now been cancelled. Accordingly, the double patenting rejection is mooted, and it is submitted that the same should be withdrawn.

III. The Formal Objections and Section 112 Rejections Are Overcome

The Examiner next formally objected to Claims 1, 51 and 53 due to clerical errors. Claim 1 again has been cancelled. In Claim 51, "nap-fit" has been amended to "snap-fit" as requested, and Claim 53 now ends with a period as requested. It is therefore submitted that the objections are overcome and should be withdrawn.

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In addition, Claims 56 and 62-64 were rejected for alleged indefiniteness under Section 112, second paragraph. The Examiner contends that the phrase "said mating male and female connectors" lacks antecedent basis in Claim 56. It is respectfully submitted that this rejection is not understood as Claim 56 does not refer to any "said mating male and female connectors." Claim 56 only refers to "the engagement and disengagement of mating male and female connection members disposed on said retention members."

As for Claims 62-64, the Examiner contends these claims are indefinite because they purport to be method claims yet depend from product Claim 56. Applicant wishes to thank the Examiner for bringing this oversight to his attention. Claims 62-64 have been amended to depend from method Claim 58 rather than Claim 56. Accordingly, this ground for rejection is overcome, and should be withdrawn.

IV. The Claimed Invention Patentably Distinguishes Over the Cited References

Vis-à-vis the prior art, the Examiner rejected Claims 12, 13, 15 and 16 contending that they are anticipated by Russell and Claim 14 as being obvious over Russell. The majority of the remaining claims, Claims 17-47, 49-51, 53, 54, and 56-71, were rejected as allegedly being obvious over the combination of Russell and Harkins. Claims 48, 52, and 55 were deemed to be allowable over the prior art but were formally objected to as depending from rejected claims.

Initially, Applicant notes that Claims 12-16 are directed to a display module while Claims 17-71 are directed to either a display device incorporating a display module or methods of operating or assembling a display device incorporating a display module. The Examiner cites the Russell patent alone against the display module claims. However, the Examiner concedes that Russell does not disclose an overall display device including a housing and lighting. Instead, the Examiner seeks to combine the sign panel of Russell with the overall signboard of Harkins in rejecting Claims 17-71.

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Thus, all of the Examiner's rejections are based upon assertion that the Russell patent discloses or suggests all of the limitations of the display module recited in Applicant's claims. This assertion, however, is unfounded as Applicant's display module is patentably distinct from the sign panel disclosed in Russell.

Applicant's display modules, as recited in his claims, include a plurality of unitary divider members having smooth channels formed therein for receiving display strips.

First, as noted above, Applicant's invention employs unitary or one-piece divider members in the display module. In contrast, the only "divider" disclosed in Russell is actually a two-piece assembly comprising a "transverse bar" 25 which is attached to the sign frame and an "outer claim bar" 30 which is in turn attached to the transverse bar. Clearly, the Russell design is much more cumbersome and complex in operation as compared to Applicant's unitary divider members. When utilized in a fast-food environment wherein the display module will be frequently reconfigured by low-wage, low-skill workers, the simplicity and ease of operation of Applicant's invention provides a significant advantage.

Secondly, the channels formed in the divider members of Applicant's invention are smooth so that the display members can slide into and out of the channels from the side. In Russell, on the other hand, the only "channel" which could be said to be disclosed in this structure is not a smooth channel but is filled with sawtooth-like serrations 28. These serrations are intended to mate with corresponding serrations 36 in the lower edge of the character bearing plate 35. This arrangement holds the plates 35 in position and prevents them from sliding from side-to-side. Thus, the plates 35 cannot be slidably inserted into and removed from the dividers like the display members of the present invention. This is why the dividers of Russell must have the more cumbersome removable outer plate 30 in order to allow the character plates 35 to be inserted and removed.

Thus, the Russell patent clearly fails to disclose or suggest the display module recited in Applicant's claims.

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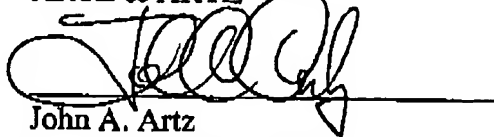
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Finally, new claims 72-75 have been added to the application and generally claim the inventive combination of features of the Applicant's invention in different ways. The primary benefits of the invention and above-described differences from the prior art, however, are contained in these new claims. Claims 74 and 75 in particular also add the feature that the divider members and display members can be removed and replaced without disassembly of any frame members or translucent members. The term "translucent members" in this regard refers to the fact that the inventive modules – as opposed to some of the prior art references, such as the Shively patent (U.S. No. 2,079,230) – do not include or incorporate a front piece or sheet of glass as a part of the frame or module which would have to be removed and disassembled along with one or more of the frame members in order to change any of the display member (a/k/a menu strips), divider members, price modules or the like.

In view of the foregoing, it is submitted that all of the remaining claims, namely claims 12-75, are in proper form and patentably distinguish from the prior art. Accordingly, allowance of the claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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